

# Alabama Board of Physical Therapy

## Newsletter

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### BOARD MEMBERS

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John Cormier PT  
Tuscaloosa AL  
Chair

Jay H. Segal PT  
Birmingham, AL  
Secretary

Eric Dekle PT  
Mobile, AL  
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Wiley Christian PT  
Mobile AL  
Member

Mitzi Watson PTA  
Headland, AL  
Member

Vince Molyneux PTA  
Mobile AL  
Member

Mary Jolley Consumer  
Tuscaloosa AL Member

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### LEGAL COUNSEL

TODD E. HUGHES  
ASSISTANT ATTORNEY GENERAL

### BOARD STAFF

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### **NEW EXECUTIVE DIRECTOR**

I realize the probability of meeting everyone in person is miniscule, so I would like to take this opportunity to introduce myself. Hello, my name is Glenn Davis. I assumed the duties of Executive Director of the board effective April 1, 2013 after working with the Examiners of Public Accounts for more than 13 years. During my tenure with the Examiners, I conducted compliance audits and performance (sunset) reviews on many of the state's regulatory boards which gave me an insight to the workload and challenges experienced by all agencies whose primary mission is to protect the citizens of the state.

As we move into the future, my goal is for the Board of Physical Therapy to become the benchmark by which all other state regulatory boards are judged. I cannot accomplish this alone, together we can make it happen. The board, board staff, and I regularly discuss ways to improve our operations so that we might better protect the citizens of the State of Alabama while also providing faster and more efficient services to our stakeholders. I welcome any input or feedback that you, the licensee, can provide to assist us in this endeavor.

The board's office has been, and remains, here for you as a source of information, guidance, and assistance. Please do not hesitate to contact us with your questions or concerns. As a new director, I will not be able to answer all questions immediately but I will do whatever it takes to provide the proper answer or guidance. I am excited about this experience and will strive to provide the best service possible for everyone.

On a personal note: I am happily married to, Ruby, my wife of 33 years and I am the proud father of three daughters; Lori, Ashley, and Teri. In addition, our family "adopted" Monica, one of our daughter's best friends, as if she was our own. These four lovely ladies have blessed us with a total of six beautiful grandchildren.

## **BOARD ATTORNEY TODD E. HUGHES**

The State of Alabama Board of Physical Therapy would like to welcome Assistant Attorney General Todd E. Hughes to our staff. Mr. Hughes brings with him nearly 20 years of legal experience in a variety of settings. After working 11 years in private practice, he joined the Attorney General's Office in August, 2007 and has faithfully served our State in numerous capacities, including the Civil and Administrative Law Division representing state employees and officials in defending constitutional claims and other litigation, as General Counsel to State Boards and Agencies and the Capital Litigation Division.

Mr. Hughes is originally from Montgomery, Alabama and is married to the former Amanda Camp from Scottsboro, Alabama. They have 2 children, a 6-year-old girl named Amelia and a 4-year-old boy named Camp, and reside in Montgomery. The Hughes family attends the First Baptist Church. Mr. Hughes enjoys golf, traveling, and flying. He is an FAA certified private pilot.

Mr. Hughes received his J.D. from the University of Alabama School of Law in 1994. He earned his B.S. in Corporate Finance and Investment Management from the University of Alabama in 1991. His bar admissions include the Alabama State Bar, United States District Courts for the Northern, Middle and Southern Districts of Alabama and the United States Court of Appeals for the Eleventh Circuit. Mr. Hughes is responsible for providing legal representation to the Board in disciplinary actions against licensees as well as providing general legal advice to the Board in the promulgation of rules and regulations and all other legal questions. We feel honored to have Mr. Hughes representing our board and the regulation of our licensees.

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**REMINDER:** The board's online renewal program randomly selects 10% of those renewals filed online for an audit of the continuing education courses entered by the licensee. If your renewal is chosen for audit your license renewal is NOT complete until you have provided proof of completion of the continuing education claimed to the board. Waiting until the last minute to renew online could result in you being unable to practice until the audit process is complete.

**BE PROACTIVE – GET IT DONE EARLY**

## **CHANGES TO CONTINUING EDUCATION REQUIREMENTS COMING SOON**

Over the past six months licensees in Alabama were sent e-mail communications describing changes to the continuing education requirements in Alabama which were being considered and eventually adopted. The purpose of this article is to review those changes and to try to address some common questions and concerns that were raised as the process unfolded.

A critical point to understand is that no changes to continuing education requirements have been made which will affect or change the renewal process this fall. The process of reporting continuing education courses during renewal time this year will be the same as it was last year. The changes which have been made will affect the licensure period from October 1<sup>st</sup>, 2013 through September 30<sup>th</sup>, 2014 and will include a new reporting process for license renewal in the fall of 2014.

The first change is that beginning this fall all courses seeking approval for continuing education credit in Alabama will be reviewed by ProCert which is a service of the Federation of State Boards of Physical Therapy (FSBPT). This includes both live event courses and non-live event courses such as online classes and home study courses. All courses reviewed and approved by the Alabama Board of Physical Therapy before this fall will continue to be approved until the expiration date of the course's approval (two years from the approval date). With this in place, there will be no shortage of approved quality courses available to licensees. From a cost perspective, earlier this year the Board implemented a \$75 fee for review and approval of live event courses and a \$150 fee for review and approval of non-live event courses. The ProCert fee is \$60 per course which will actually help contain costs for continuing education providers. In addition, many states accept ProCert approved courses so continuing education providers will be able to get their courses approved in several states through one centralized process.

The second major change is that after license renewal this fall, the Board will require all licensees to report their continuing education using aPTitude, also a service of the FSBPT. This site allows licensees to enter their continuing education as they take it instead of having to hold onto it until the end of the renewal period and enter it then. The aPTitude reporting system is provided at no charge to licensees and it is accessible to all state jurisdictions which can help simplify and streamline the renewal process for individuals holding licenses in multiple states. Be looking for e-mails from us after October 1<sup>st</sup>, 2013 introducing licensees to aPTitude.

Probably the most important advice I would give to licensees is to make sure that any course you are considering taking is approved before you take the course. In the past, some licensees would take a course that was not approved and then submit it themselves after the fact to try to get it approved. That will no longer be possible since an individual who has taken a course will not have the information necessary to get a course approved by ProCert. The licensee would then be at the mercy of the course provider to submit the course to ProCert for approval after they already had your money.

We recognize that change is not easy and nobody likes it (not even us). But these changes will afford significant benefits to all parties involved. We are committed to giving licensees all the guidance and assistance needed to help you navigate these changes. Thank you for your trust and here is to a bright future.

John Cormier, PT  
Chair, Alabama Board of Physical Therapy

## **IMPORTANT!!**

### **ADDITIONAL REQUIREMENTS FOR INITIAL LICENSURE AND LICENSE RENEWAL**

All current and future licensees **MUST** provide documentation that demonstrates their citizenship or legal presence in the United States. **Beginning October 1, 2013**, applications for initial licensure and license renewal will not be processed until proof of citizenship or legal presence documentation is provided to the board.

This new requirement is a result of two pieces of legislation passed during the last few years. The Board of Physical Therapy's Practice Act was amended during the 2009 legislative session to add citizenship requirements for licensure. The ***Code of Alabama 1975***, Section 34-24-211 was modified to read, "Each applicant shall also be a citizen of the United States, or, if not a citizen of the United States, a person who is legally present in the United States with appropriate documentation from the federal government."

Additionally, the Legislature, in addressing immigration concerns, passed the Beason-Hammon Alabama Taxpayer and Citizen Protection Act of 2011(Immigration Act), and later codified the act as Title 31, Chapter 13 of the Code of Alabama 1975. This act, which has been in effect since September 1, 2011, requires every person who receives a professional license from the State of Alabama to be either United States citizens or lawfully present in the United States.

The ***Code of Alabama 1975***, Section 31-13-29 defines professional licensure to be a public benefit and requires an applicant for professional licensure who is a United States citizen to demonstrate his or her United States citizenship or his or her legal presence in the United States before a license can be issued. This section also requires that applicants who are not citizens must be verified as lawfully present through the Systematic Alien Verification for Entitlements (SAVE) program, operated by the United States Department of Homeland Security or by inquiry to the federal Immigration and Naturalization Service.

The ***Code of Alabama 1975***, Section 31-13-29(g) lists the documents one may use to demonstrate his or her United State citizenship or his or her legal presence in the United States as follows:

A driver's license or non-driver's identification card issued by the Alabama Department of Public Safety or the equivalent governmental agency of another state within the United States, provided that the governmental agency of another state within the United States requires proof of lawful presence in the United States as a condition of issuance of the driver's license or non-drivers' identification card.

A birth certificate indicating birth in the United States or one of its territories.

Pertinent pages of a United States valid or expired passport identifying the person and the person's passport number, or the person's United States passport.

United States naturalization documents of the number of the certificate of naturalization.

Other documents or methods of proof of United States citizenship issued by the federal government pursuant to the Immigration and Nationality Act of 1952, as amended.

Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.

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A consular report of birth abroad of a citizen of the United States of America.

A certificate of citizenship issued by the United States Citizenship and Immigration Services.

A certification of report of birth issued by the United States Department of State.

An American Indian card, with KIC classification, issued by the United States Department of Homeland Security.

Final adoption decree showing the person's name and United States birthplace.

An official United States military record of service showing the applicant's place of birth in the United States.

An extract from a United States hospital record of birth created at the time of the person's birth indicating the place of birth in the United States.

AL-verify.

A valid Uniformed Services Privileges and Identification Card.

Any other form of identification that the Alabama Department of Revenue Authorizes, through an administrative rule promulgated pursuant to the Alabama Administrative Procedure Act, to be used to demonstrate or confirm a person's United States citizenship or lawful presence in the United States, provided that the identification requires proof of lawful presence in the United States as a condition of issuance.

As we endeavor to meet the citizenship documentation requirement we ask for your cooperation in getting this done as soon as possible. Failure to provide the proper documentation prior to renewal in 2014 will result in your license being held up until proof of citizenship or legal presence is provided.

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**Please keep your address updated with the  
Alabama Board of Physical Therapy!**



## **ATTENTION LICENSEES**

IT IS YOUR RESPONSIBILITY TO MAINTAIN A RECORD OF EXCESS CONTINUING EDUCATION HOURS YOU WANT TO CARRY OVER TO THE NEXT YEAR. THE BOARD DOES NOT MAINTAIN A DATABASE CONTAINING THIS INFORMATION.

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## **THE VIOLATIONS COMMITTEE**

You work so hard to get into PT or PTA school. You endure the application and interview process and are one of the select few that get in. You make it through an intense curriculum. You pass the national board exam and are finally able to call yourself a physical therapist or physical therapist assistant. You are in a profession that is held to a very high standard, but you had to hold yourself to that standard in order to get through school. Why then do therapists, on a regular basis, allow themselves to jeopardize what they have worked so hard to achieve?

Every month, the Violations Committee of the Alabama State Board of Physical Therapy receives reports from employers, patients and family members, co-workers and licensees alleging violations of our practice act and/or inappropriate behaviors of licensed PT and PTAs. Once received into our office, these allegations are carefully reviewed by the Violations Committee (the Board Chair, an appointed Board Member, the Executive Director, and Board Legal Counsel) to decide if the complaint / allegation has merit, needs further investigation by an independent investigator, or can be acted upon by the Board at that point. Common violations handled by the Committee are:

- Late renewal of license and/or treating without a license
- Falsification of billing or time records by a licensee
- Documenting and billing for PT services not rendered
- Working while under the influence of alcohol or drugs
- Stealing from a patient or place of employment

Inappropriate touching or relations with a patient or co-worker

As you can see, these common violations are serious and can lead to suspension of license, heavy fines, and even revocation of license. If found guilty, the violation will be reported to HIPDB and permanently recorded to your license for all states to see if you were to file for licensure in another jurisdiction.

It is becoming common practice for an employer that is forced to terminate an employee to report the reason for termination to the Alabama State Board of Physical Therapy for possible violation of the practice act and further action could be taken by the Board even after termination. To report a licensee, the Board must be notified in writing using a form that is accessed and can be printed off of the Board website. The Board encourages these reports because, if a licensee allows themselves to act in such a manner that is detrimental to the profession and puts the public in harm's way, then that licensee must be dealt with in a manner that discourages that behavior in the future.

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**DISCIPLINARY ACTIONS**

ALLEGATION: FALSIFIED DOCUMENTATION

DISPOSITION: \$2,000 FINE

CASE #

12-10-07

NAME

VALARIE AVILA

ALLEGATION: PRACTICING WITH AN EXPIRED LICENSE

DISPOSITION: \$2,500 FINE

CASE #

13-05-11

NAME

LAUREN MOORE

ALLEGATION: PRACTICING WITH AN EXPIRED LICENSE

DISPOSITION: \$2,500 FINE

CASE #

13-05-12

NAME

SARAH BEAVER